SUBCHAPTER A—ADMINISTRATIVE AND PROCEDURAL RULES

PART 1500—APPLICABILITY, TERMS, AND ABBREVIATIONS

Sec.

1500.1 Applicability.

1500.3 Terms and abbreviations used in this chapter.

1500.5 Rules of construction.

AUTHORITY: 49 U.S.C. 114, 5103, 40113, 44901–44907, 44913–44914, 44916–44918, 44935–44936, 44942, 46105.

SOURCE: 67 FR 8351, Feb. 22, 2002, unless otherwise noted.

§ 1500.1 Applicability.

This chapter, this subchapter, and this part apply to all matters regulated by the Transportation Security Administration.

§ 1500.3 Terms and abbreviations used in this chapter.

As used in this chapter:

Administrator means the Under Secretary of Transportation for Security identified in 49 U.S.C. 114(b) who serves as the Administrator of the Transportation Security Administration.

Person means an individual, corporation, company, association, firm, partnership, society, joint-stock company, or governmental authority. It includes a trustee, receiver, assignee, successor, or similar representative of any of them.

Transportation Security Regulations (TSR) means the regulations issued by the Transportation Security Administration, in title 49 of the Code of Federal Regulations, chapter XII, which includes parts 1500 through 1699.

TSA means the Transportation Security Administration.

United States, in a geographical sense, means the States of the United States, the District of Columbia, and territories and possessions of the United States, including the territorial sea and the overlying airspace.

 $[67\ FR\ 8351,\ Feb.\ 22,\ 2002,\ as\ amended\ at\ 68\ FR\ 49720,\ Aug.\ 19,\ 2003]$

§ 1500.5 Rules of construction.

(a) In this chapter, unless the context requires otherwise:

- (1) Words importing the singular include the plural.
- (2) Words importing the plural include the singular.
- (3) Words importing the masculine gender include the feminine.
 - (b) In this chapter, the word:
- (1) "Must" is used in an imperative sense:
- (2) "May" is used in a permissive sense to state authority or permission to do the act prescribed, and the words "no person may ***" or "a person may not **" mean that no person is required, authorized, or permitted to do the act prescribed; and
- (3) "Includes" means "includes but is not limited to".

PART 1502—ORGANIZATION, FUNCTIONS. AND PROCEDURES

AUTHORITY: 5 U.S.C. 3345, 49 U.S.C. 114, 40113, 44901-44907, 44913-44914, 44916-44920, 44935-44936, 44942, 46101-46105, 45107, 46110.

SOURCE: 67 FR 48049, July 23, 2002, unless otherwise noted.

§ 1502.1 Responsibilities of the Administrator.

- (a) The Administrator is responsible for the planning, direction, and control of the Transportation Security Administration (TSA) and for security in all modes of transportation. The Administrator's responsibility includes carrying out chapter 449 of title 49, United States Code, relating to civil aviation security, and related research and development activities, and security responsibilities over other modes of transportation that are exercised by the Department of Transportation.
- (b) The Deputy Administrator is the "first assistant" to the Administrator for purposes of the Federal Vacancies Reform Act of 1998, and shall, in the event the Administrator dies, resigns, or is otherwise unable to perform the functions and duties of the office, serve as the Acting Administrator, subject to the limitations in the Federal Vacancies Reform Act of 1998. In the event of the absence or disability of both the

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Administrator and the Deputy Administrator, officials designated by TSA's internal order on succession shall serve as Acting Deputy Administrator and shall perform the duties of the Administrator, except for any non-delegable statutory and/or regulatory duties.

PART 1503—INVESTIGATIVE AND ENFORCEMENT PROCEDURES

Subpart A—General

Sec.

1503.1 Scope.

1503.3 Reports by the public of security problems, deficiencies, and vulnerabilities.

Subpart B—Scope of Investigative and Enforcement Procedures

1503.101 TSA requirements.

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Subpart C—Investigative Procedures

1503.201 Reports of violations.

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1503.301 Warning notices and letters of correction.

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1503.411 Computation of time.

1503.413 Notice of Proposed Civil Penalty.

1503.415 Request for portions of the enforcement investigative report (EIR).

1503.417 Final Notice of Proposed Civil Penalty and Order.

1503.419 Order Assessing Civil Penalty.

1503.421 Streamlined civil penalty procedures for certain security violations.

1503.423 Consent orders.

1503.425 Compromise orders.

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1503.429 Filing of documents with the Enforcement Docket Clerk.

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1503.601 Applicability.

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1503.603 Separation of functions.1503.605 Appearances and rights of parties.

1503.607 Administrative law judges.

1503.609 Complaint.

1503.611 Answer.

1503.613 Consolidation and separation of cases.

1503.615 Notice of hearing.

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1503.619 Intervention.

1503.621 Amendment of pleadings.

1503.623 Withdrawal of complaint or request for hearing.

1503.625 Waivers.

1503.627 Joint procedural and discovery schedule.

1503.629 Motions.

1503.631 Interlocutory appeals.

1503.633 Discovery.

1503.635 Evidence. 1503.637 Standard of proof.

1503.639 Burden of proof.

1503.641 Offer of proof.

1503.643 Public disclosure of evidence.

1503.645 Expert or opinion witnesses.

1503.647 Subpoenas.

1503.649 Witness fees.

1503.651 Record.

1503.653 Argument before the ALJ.

1503.655 Initial decision.

1503.657 Appeal from initial decision.

1503.659 Petition to reconsider or modify a final decision and order of the TSA decision maker on appeal.

1503.661 Judicial review of a final order.

Subpart H—Judicial Assessment of Civil Penalties

1503.701 Applicability of this subpart.

1503.703 Civil penalty letter; referral.

Subpart I—Formal Complaints

1503.801 Formal complaints.

AUTHORITY: 6 U.S.C. 1142; 18 U.S.C. 6002; 28 U.S.C. 2461 (note); 49 U.S.C. 114, 20109, 31105, 40113-40114, 40119, 44901-44907, 46101-46107, 46109-46110, 46301, 46305, 46311, 46313-46314.

Source: 74 FR 36039, July 21, 2009, unless otherwise noted.

Subpart A—General

Source: 76 FR 22630, Apr. 22, 2011, unless otherwise noted.

§ 1503.1 Scope.

This part provides information on TSA's investigative and enforcement procedures.